

THE
Triumph of Religious LIBERTY

OVER THE
SPIRIT of PERSECUTION:

BEING
An Account of the TRIALS of several Persons,
For an outrageous and unprovoked
PERSECUTION,
At GREAT BARDFIELD, in the County of Essex.

BEFORE
The Honourable Mr. Justice LAWRENCE;
At CHELMSFORD ASSIZES, in the Month of May, 1794.

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For Rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the Power? Do that which is good, and thou shalt have praise of the same: For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of GOD, a revenger to execute wrath upon him that doeth evil.

St. PAUL.

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P R E F A C E.

THE following Trials were taken down at the time, by a Gentleman, in Short Hand. But as he had no previous intention of writing, he was not so well prepared as could be wished; and as he had no knowledge of the parties, he never expected to be called upon for a Copy; neither did he begin to write till Mr. Garrow had proceeded some length in his address; and even then, for a considerable time, he was in a disadvantageous situation. The Reader will therefore perceive a deficiency in the beginning of Mr. Garrow's address. And there may likewise be some other inconsiderable defects in various parts of the Trials. But we can boldly affirm, that the *Substance* of all which Mr. Garrow said, touching the Merits of the Case, will be found in the following pages. Nevertheless we are sorry that we cannot give our readers an additional specimen, to those which have already appeared in the World, of the abilities of that great Orator, by presenting them with his address unmutated.

In the Examination of the Evidence, there may be a deficiency or a redundancy of a word or two here and there. But we pledge ourselves that there is nothing *material*, one way or the other, so as to alter in any degree the complexion of the Case from what it appeared before the Court.

The *Notes* we make no apology for, as they are perfectly distinct from the Trials, and throw light upon the different parts of them.

These Trials are made public, 1. in order to expose, and thereby eradicate, if possible, that pernicious spirit of Persecution which rages, not only in some of the inhabitants of Great Britain, but in other places of these kingdoms, to the no small disgrace of the nation in this enlightened age. The spirit of Persecution is a spirit of *darkness*; only drag the execrable monster to the light, and an important step is then taken towards its destruction.

2. To prevent those persons who are unacquainted with the Laws of their Country, from being the dupes and tools of wicked designing men. Many who composed the Mob at Great Britain, were persuaded by others that there were no Laws existing to protect the Methodists! One of the Church-wardens, (Smith the farrier) said to J. Blake, in the hearing of Mr. Jenkins "No Justice will undertake your Cause." Whether he was *authorized* to refer to any of the neighbouring Justices, or had caught the idea from his liberal-minded Master and his associates, or whether he only spoke as he wished, we will not pretend to say. B

every person of discernment must observe, that this declaration manifested a high degree of *ignorance*, or *wickedness*, existing somewhere.

3. To encourage the Servants of the Most High to trust in him, and to fill their hearts with gratitude for the protection afforded us by the Laws, under our gracious King, in the exercise of that Liberty of Conscience, which is the unalienable Right of every rational Being.

But if the Reader wishes to have a proper view of the spirit and temper of the Persecutors at Great Bardfield, it is necessary to be acquainted with a few circumstances which are not included in the trials. The persecutors in the town, aided by one or two farmers in the neighbourhood, formed themselves into a Committee*, in order that they might proceed regularly and more effectually in their bad work. They concerted different modes of attack; that by the Mob was only one part of their plan; and the only one which they could bring to bear against the Preachers. In the town resided a worthy man, who from the purest motives lent his house for the exercise of religious duties. He had a wife and five small children to maintain by his lawful calling, which was that of a baker, and by great industry and frugality he had provided tolerably well for them. The Committee, in order to effect the ruin of the baker, advertised in the public newspaper for one of the same business to come and set up in opposition; and having obtained one, they supported him at a considerable expence. But the former baker making, confessedly, good bread, &c. they did not succeed according to their sanguine expectations. The Committee then attempted to engage the whole town and parish in a combination not to trade with the baker. This scheme they devoutly hoped would compleatly starve the poor man and his family, or compel him to renounce his Judgment and Conscience in Matters of Religion. Accordingly, a Writing was actually drawn up by some person, and presented by the p---r---n for approbation, proposing at the same time that it should be copied upon stamped paper the next day, and signed by themselves, and as many as they could prevail upon to join with them. In this nefarious Deed, they covenanted for themselves and their families, not to buy any thing of the poor man, under the penalty of ten shillings for every offence committed by a master-tradesman or farmer, and five shillings for every journeyman or labourer.

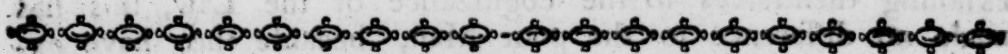
Some of them, indeed, who have been spoken to upon the subject, deny that the above infamous agreement was compleated; but they acknowledge that it was carried as far as has been related. And supposing they laid aside the Deed through fear of

* At the Head of this famous Committee was a p---r---n; the body consisted of two shop-keepers; an inn-keeper; a farrier, who was also church-warden; a farmer from Little-Bardfield, &c.

exposing themselves to the cognizance of the Law, this has made no difference to the poor Man, because they have executed the principle and design of it, as far as they possibly could. They not only refused to buy any thing of him themselves, but threatened to discharge their workmen, if they dared to deal with him, or even attend the Methodist Preaching. When any of the Poor were detected in the commission of these heinous crimes, they were instantly threatened with the punishment of being excluded from all benefit arising from the Poor Rates, or any charities that they had the management of. These threatenings so terrified the Poor, who were already dispirited and rendered passive by the ordinary treatment they generally met with from oppressive men, that they were even afraid of the least intercourse with the poor baker or his family, lest they should offend their masters.

The case of a poor woman who kept a school for children, is rather singular, and evidently discovers the malevolent disposition of this honourable Committee: Exclusive of the scholars who were paid for by their parents, the school-mistress had the benefit of a small legacy, which was left to the parish by a well-disposed person, for the purpose of teaching a few poor children. To this tutorefs the baker sent his little daughter, where she was always kindly and thankfully received. But when the orders of the Committee were issued forth, the school-mistress absolutely refused to receive the child any more, alledging, as the only reason, that if she did, the p—r—n would take the charity school away from her.

By these and similar acts of inhumanity, this *christian* Committee have endeavoured to starve an honest, industrious man and his family, or compel him to sin against his conscience. The persecution by the Mob, terminated in about a month; but the persecution against the poor man and his family, has continued above a twelvemonth. What will the Popish Court of Inquisition think, when they see themselves so far excelled in rage, injustice, and cruelty, by men who are called PROTESTANTS!



An Account of the Trials at Chelmsford, &c.

The KING *versus* COLE, and seventeen others, for a Riot, &c.

Counsel for the Crown, Mr. Garrow and Mr. Grimwood : Attorney, Mr. Francis, of Colchester.

Counsel for the Defendants, Serjeant Bond and Mr. Trower : Attorneys, Messrs. Club and Wade.

AFTER Mr. Grimwood had stated to his Lordship and the Jury, the purport of the Indictment, Mr. Garrow rose, and began with reprobating the spirit of intolerance in general ; observing how dreadful it was for any set of men to harrass their fellow-creatures on account of religion ; to throw out their thunderbolts of vengeance, and

“ Deal damnation round the land

“ On all they deem’d their foe.”

“ Gentleman,” it is truly horrid (continued Mr. Garrow) “to find men encouraged in hunting down their fellow-creatures, only because they happen to differ in some shades of doctrine, or minutiae of faith, not considering that we are all the children of one common Father, and all the purchase of the same Redeemer. Gentlemen, the prosecutors have suffered a great degree of persecution, a persecution which I have never had the misfortune to witness before ; (and I have had now some years experience, at least in the criminal courts,) which, if it have not ended in the destruction of some of those who this day resort to you for protection, and which must have dragged some of the defendants into that court [pointing to the Crown Court,] is due to the providence of God, and not to the humanity of the defendants. Gentlemen, let it be remembered, that the persons who were persecuted were attending to their devotions, and propagating that Gospel of Peace, of which they are the Ministers, and with this design they went to Great Bardfield. They are a harmless, inoffensive, quiet people. This place, from the profligacy of its inhabitants has long acquired the name of *wicked Bardfield*. They had no design of interfering with the pious labours of those who have the cure of souls in that part of the world, but believed that by going to preach the Gospel of Jesus there, they might forward the great cause of their common Master. Is it to be supposed that any man has a right to lay down the doctrines or tenets, which a Minister shall preach when he comes into a Town ? It is true, the Legislature of this country

thought



thought proper to prevent the Church of Rome from infusing her doctrines in this country, because it was supposed there were too much connection between their religion and politics. But of late, much, if not all of that restraint, the legislature in its wisdom, has thought proper to remove. But with respect to those who are protestants, all that is required of them, is, that they shall go through the ceremony of licencing themselves, and their respective places of worship, and conduct themselves there as good citizens.

Gentlemen, Would to God I could be spared the pain of relating; the court be spared the pain of hearing; and the county be spared the disgrace of what follows! But as an advocate in this cause, I feel I owe it as a debt to my clients; yea, I owe it as a debt to this county, and to my country at large; therefore, shall proceed, First, to describe to you the persons concerned in this affair. The prosecutor is a person of the late Mr. JOHN WESLEY's persuasion; a gentleman well known in this country; although perhaps none of you, any more than myself, are particularly acquainted with all Mr. Wesley's tenets; yet I doubt not but you are so far acquainted with his Character, as to know this, that if since the primitive days, there has been *one* of whom it might be said, that "*He went about doing good,*" the venerable Man, whose name I have presumed to mention, (and who is now dead, therefore it cannot be deemed flattery) of all moderns, best deserves that title.

I am as little inclined perhaps as any of you, to change my Religion. My Father is a clergyman of the Church of England, and took great pains in my education, and I have never found that I could change it for a better. But it must be granted, Mr. Wesley was not a person that went through the land to spread confusion; he was not disposed to go into the neighbourhood of others to sow dissensions and discord. No: I have heard even some of the Clergy of the Church of England say, and declare it with satisfaction too, that instead of making any inroads in their parishes to do evil, where Mr. Wesley came he has been the means of reclaiming many from the error of their ways, who were above their hand. And this he did by the purity of his manners, the perspicuity and energy with which he inculcated his doctrines, and by the simplicity of those doctrines themselves. Gentlemen, These persons are the followers of that great man: they are men who have separated themselves from secular affairs, that they might spend their whole time in proclaiming the Gospel of the great Redeemer. Shall I sum up all in a word, they are what many of our forefathers gloried to be; they are what the predecessors of the proudest prelate of the Church of England once were; they are *a poor, a praying, and a preaching people*. Gentlemen, The prosecutor, who had spent part of his life in the company of Mr. Wesley, did not go to Bardfield to make a disturbance there; no; but with the pious design that if peradventure

ture he might reclaim one poor wandering sheep to the fold of Christ! The Gentleman who has the care of souls there, I have not the pleasure of knowing, but have no doubt he does his duty*. To this place the prosecutor, together with several others, went on Sunday the 14th. of July in the last year; (1793); they arrived there about half past ten o'clock in the forenoon, and as the toleration Act protects them, they were, or *ought* to be, as much protected from inroads and insults, as the Bishop of London would be in Chelmsford. The service of the Chapel was to begin at half past ten. When these gentlemen came to the place, they found the people assembling about the door in a very tumultuous manner; Mr. Jenkins, the prosecutor, opened the door, and addressed the persons who were there assembled, desiring to know what they had done that merited such treatment? He was answered, "We have a good church! You have no business here. The gentlemen don't like it." If they had been at the church, probably they would not (at least for the time, we would charitably hope) have been engaged in doing the *devil's* work. But instead of going to this church about which they talked so much, they came to interrupt a set of peaceable men, who were about to praise God in their own way. But this gives great offence to this sort of gentry. Mob governments are bad governments at all times. We have seen the effects of them in a neighbouring country; and you may recollect this was a day that was celebrated as the third revolution of the French. Mobs are but bad servants, but worse masters.

Again, "The gentlemen don't like it! The gentlemen don't like it!" Who are the gentlemen that don't like it? What are their number? What are their respectability? Is it the grand jury of the county? "The gentlemen don't like it!!" What will they like then? Are we to form our creed, not as it may please our own consciences, but as it may please some great men in the parish! No: God forbid, that this should be the Law of England! Let us see whether it be within the reach of the powers of eloquence and ingenuity which my great and learned friend may use, to frame a more *christian* answer than was given to these ridiculous objections. The answer of Mr. Jenkins was this: "We don't come here to oppose the church." "We only come to worship God according to our consciences." "We come peaceably and ought not to be interrupted." One would have thought that this address, in the language of christian meekness and charity, would have dismissed them, and the service of God might have been permitted to proceed; but they insisted that there they should not be!

Again, let us contrast the character of the rioters with the character of those who were about to worship God according to their

* Every encomium, especially if we do not deserve it, should remind us of what we *ought* to deserve.

own consciences. They, considering that they had nothing to fear, though men should set their faces against them, gave out a hymn (which is the manner their service begins) they then proceeded to pray and to preach. One would have thought, if these rioters had no regard to the magistrates or their neighbours, that at least *the solemnities* that were going forward, would have had some good effect upon them, that when they found others employed in supplications to heaven, singing the praises of the Deity, and exhorting their fellow-creatures to acts of benevolence, this would have generated a respect for the God whom they were worshipping! But those people were employed in a very different service, and for a different Master; for they were on the outside of the house, making faces at the windows, hallooing, and brawling, and using every means in their power to interrupt the worship of God; (two or three of the Jury and a few others laughed) Gentlemen, is this a subject that merits laughter? I am very well aware, that you may laugh at me, and my awkward manner of opening it, but the subject itself is of the most serious and important nature, and I am sure must extort from you the verdict, *guilty*.

But this is not all, the service concluded, though much sooner than they intended, because they could not proceed to their satisfaction. One would have expected that when the congregation were dismissed to their homes, the defendants would have gone home also. No; I shall prove to you, that this religious congregation were treated worse than persons who are pilloried in this country are usually treated. The prosecutors designed to have gone to a neighbouring village in the afternoon, in order to use their best endeavours to promote that religion of peace, of which they are the ministers, but were prevented by the defendants, as the witnesses will particularly inform you.* Gentlemen,
the

* On a former day, (viz. Wednesday, July 10th), the mob came to the Preaching-house with a drum, tin-kettles, french-horns, bullocks-horns, post-boys-horns, watchmen's rattles, &c; but on this day they laid aside these instruments of rough Music, and were armed with weapons of a more serious nature; with branches of trees, bludgeons, stones, &c. it being evidently their intention, not merely to make a noise, but to wound or maim the preachers, if not to murder them. When the preachers, and their friend who came with them, attempted to leave the house in order to return to Weathersfield, where they intended to preach in the afternoon and evening, two of the rioters, assisted by others to the number of between two and three hundred, seized upon Mess. Jenkins and Barker, and endeavoured with all their might to drag them into the midst of the mob, in order, as they declared, to "DO FOR THEM." One of the ruffians kicked Mr. Barker on the thigh, and another struck Mr. Jenkins with the branch of a tree. It was with the utmost difficulty and the greatest exertion, that the preachers escaped into the house, and bolted the door. The rioters watched them
B constantly

the office of to-day is only to find whether they were guilty or not. The office of punishment does not rest with you. If you had to say how much they ought to be punished, I should have no objection; but the court, hereafter, being to decide upon the punishment, you have only to pronounce whether they are guilty,—Yea, or Nay. Let me ask you, if people were returning from a fair, or from some place of idle amusement, whether you would not feel it was abominable for them to be surrounded by a mob, who had formed a predetermined plan, and carried it to the degree of violence and outrage which I have feebly stated to you. There may be those that dislike their tenets, but I am fully persuaded, in whatever they may disagree, they must all acknowledge, that this cruel and unjust treatment is not to be tolerated in a country GOVERNED BY LAWS.

Mr. William Jenkins examined by Mr. Grimwood.

Mr. GRIMWOOD. Mr. Jenkins, You went to Great Bardfield on Sunday the 14th of July to preach, did you not?

A. I did, Sir.

Q. Will you state to the Court and Jury, what passed on the morning of that day. A. At the corner of the street in which the house is situated, I saw one Wilks who looked at us and said, "It is not quite ten o'clock yet," by which (we supposed) he referred to the mob's assembling, as we had heard they were to meet about that hour.

Judge.

constantly and diligently from that time (about 12 at noon) till past ten o'clock at night, declaring frequently, with the most horrible imprecations, oaths, and blasphemies, that they would not leave the place till they got them out. The preachers finding themselves in this dangerous situation, and learning that there were no Magistrates in the town, nor within some miles of it, they wrote a letter to Dr. Wakeham, of Bocking, requesting his assistance, and prevailed with two friends to convey this letter; who having about twenty miles to walk, it was past ten o'clock before they returned. In the mean time the mob surrounded the house, pouring in thro' the windows, in almost every direction, showers of stones, and some of them with such violence as to make deep indentions in the partitions opposite. The family who belonged to the house were in the greatest distress; the cries of five small children, frightened by the noise and stones, were so excessive, that it was expected every moment some of them would fall into fits. The distress of the Mother, weeping floods of tears over her children, is beyond all Description: and the compassionate father was driven to his wit's-end to contrive some method of relieving them. He could not take them into any of the chambers, for fear of their being killed by the stones. At length he removed the children into the barn, putting the youngest into a crate of straw and covered them up: But even here the unmerciful savages disturbed them, by knocking against the wall, &c.

The

Judge. You mean the Meeting-house? *A.* It is a dwelling house, my Lord, licensed, where the congregation assembled.

Mr. Grimwood. You met Wilks? *A.* Yes, at the corner of the street; he walked before us to his own house.

Who was with you? *A.* William Heath and Samuel Barker. About ten minutes after, Wilks came before the house, and with oaths and imprecations, called us many ill names, of which we did not then take notice. Soon after several more joined him. I opened the hatch-door, and asked them why they wished to interrupt us, and why they called us these evil names?

Q. What were they? *A.* They called us many, too bad to repeat, and many I don't recollect.

Q. Did they use very abusive names? *A.* Yes, Sir.

Q. You asked them, why they did so? *A.* Yes; and observed, that we had done them no evil, that we knew of. If we had, and they would make it appear, we would make them every reparation in our power.

Q. What did they answer? *A.* Only with similar language as before, and said, "*They were determined, we should not come there.*"

The mob sent frequent messages to the persons confined in the house, (particularly one by the church-warden,) threatening to pull it down, and declaring, with all the marks of rage and madness,—“All that we wish for, is, to get you out, and then we will take care that you shall never come here again; for we will *do for you!*” Between nine and ten o'clock, the mob began to threaten to burn the house, and all the people that were in it. About ten o'clock, a large fire-brand was brought for the purpose of effecting their execrable intentions! At this alarming crisis, when the poor persecuted people expected every moment either to be burnt alive, or murdered if they attempted to escape, the two men who had been sent to a Magistrate, returned with a warrant directed to one of the constables. The men found the constable among the mob, as they were coming towards the house, and presented the Warrant to him; but instead of receiving it, he ran away. The men however followed him, and when the constable found he could not get off decently, he took the warrant into a house to read it by a light;—having examined the warrant, he informed the mob of its contents, and ordered them to depart to their own homes; this requisition was speedily complied with, for being hired, they were of course under command.

The constable having dispersed the mob, sent a message to the people confined in the house, that they were at liberty to go. They returned answer, that they could not think of leaving the place, unless a constable was sent to protect them. Accordingly a constable came, and conducted them about half-way to Weathersfield; he then returned, and they continued their journey. Between eleven and twelve o'clock they arrived at their lodgings, praising God for the great Deliverance.

Q. About what number were collected at this time? A. I believe about a score. I reasoned with them, and asked, why they wished to prevent us? We did no harm, and only came to worship God according to the dictates of our consciences, and had nothing in view but the good of those persons that assembled with us.

Q. How many other of the defendants were among these?

A. Thomas Cole came up, and swore a great deal.

Q. Who else? A. Robert Holmes.

Q. Any other. A. I don't recollect any other; I am a stranger to most of them, only I enquired the names of some who were most violent. They said, "They had a good church, we had no business there: the gentlemen did not like it, and were determined we should not come there." I answered, "We did not come to interrupt the church; there was no sermon at church the forenoon of that day; that we frequently went to church ourselves when we had opportunity." They took no notice of my reasoning, but raged exceedingly, and vengeance seemed to appear in their very countenances; they called us to come out and go away.

Q. Did their number increase? A. Not much at that time. About that time several persons came to join with us, and we shut the door of the room, because the way to the room where we preached was through the yard.

Q. You shut the front door? A. Yes, Sir, and proceeded in our devotions. While we were singing, &c. they made a great noise, putting their faces to the window and hallooing with all their might. I stopped two or three times to reason with them a little, and desired them, if they wished to treat us ever so ill, not to disrespect the word of God: But they still continued to make all the noise they possibly could.

Q. What were the instruments they had with them?

A. They had none at that time; but they used to have a drum, watchman's-rattles, and various other things.

Q. After your service was over, what then? A. We then prepared to return to Weathersfield.

Q. Were you prevented? A. Samuel Barker came round through the yard-gate to the front-door, where I had just opened the top door (the hatch) to meet him; when we came there, the mob were much increased in number, and there appeared to be about two or three hundred.

Q. About what time was this? A. Near twelve in the day.

Q. Were they riotous? A. They were exceeding noisy and tumultuous. As Mr. Barker stood by the side of the door, waiting for Mr. Heath and myself, Thomas Cole ran with great violence, seized him, and endeavoured to drag him among the mob.

Judge. How did he seize him? A. With both hands at once, my Lord, on each side of his breast. Seeing him in this danger, I reached my hand over the door to prevent them from dragging

dragging him away. Just before I laid hold of him, Robert Holmes came up and kicked him on the thigh ; and when I laid hold of Mr. Barker to prevent them from dragging him amongst the mob, Holmes seized upon my arm, and endeavoured to pull me over the door, using many imprecations at the same time : but having the lower door for a support, by struggling hard I disengaged myself from him ; and again took hold of Mr. Barker, to endeavour to rescue him.

Mr. Grimwood. And you got Barker in ? *A.* Yes, Sir. He laid hold of the door-post, and by his pulling and my assistance, with great difficulty we got him in. I again asked them, why they treated us in this manner ? They swore grievously, and said, we had no business there ; they asked for our authority, and said we had no licence. Thinking that if I shewed them my licence, it might have a tendency to calm them, I pulled some papers out of my pocket ; two Acts of Parliament, one the Act of Toleration, and the other the Riot-Act ; being often interrupted, I generally kept these papers about me.

Serjeant Bond. Was your licence one of those papers ?

A. I am not sure ; I designed to take it out, and if it was not, it was in the bottom of the pocket from whence I took those papers. The moment I pulled them out, Henry Brittain struck me on the breast and hands with the branch of a tree, and with oaths and curses, asked, " Why do you shew your papers to us, who cannot read ? " I replied, " I was going to shew them at your request. " But however I found it was in vain to attempt it, for they became more tumultuous than ever. Cole, Holmes, Brittain, and others, said, with horrid curses (as usual) " Why don't you come out, and we will take care you shall never come here any more. " I then withdrew and shut the door ; but being very anxious to get to Weathersfield, as we had appointed to preach there in the afternoon and evening, I enquired whether we could not go a back way ? but our friends in the house, with tears, begged we would not attempt to go out ; declaring if we did, they had no hope that we should escape with our lives. We then consulted what we should do to obtain our liberty : At length we thought, if we could convey a letter to a Magistrate, we might be delivered. On enquiry we found there were none in the town, nor within some miles ; however two men of our congregation, who had not left the house, agreed to go to Dr. Wakeham, of Bocking ; accordingly a letter was prepared, and they went with it, but did not return till past ten o'clock at night. During all this time we were closely confined.

Mr. Grimwood. Mr. Jenkins, answer this question ; During all this time were you under any terror ?

A. O yes, under very great terror.

Q. You were afraid of your lives then ? *A.* Yes, we were.

Q. Did they proceed in their violent measures ? *A.* About six o'clock they began to throw stones through the windows, which alarmed

alarmed us a good deal ; but we had nothing to do but wait patiently, in hopes Providence would point out some way for our escape.

Q. Did you discover any of the defendants active ? A. We were afraid to go near the windows. Between 8 and 9 o'clock, a message was sent us by some persons in the town, importing that " if we would promise never to come there any more, they would undertake that we should go unhurt." I answered, " We believed it to be our duty to preach in that place, and as the Laws of our Land protected us, we could make no such promise : and added, that if those persons had any influence on the mob, they ought to disperse them without engaging us to make such a promise : " the man went out with this answer ; and soon after the stones flew with greater violence than before, thro' all the windows. Between 9 and 10 o'clock at night, Mr. Blake, the man of the house, came up stairs, where we were standing for shelter behind a stack of chimnies, and informed us, There was one of the Church-wardens below, who wished to speak with us. We went down and found William Smith, the Defendant.

Q. Which Smith ? A. The Farrier. There are two William Smiths, one of them is a Farrier, and the other a Carpenter : It was William Smith, the Farrier. I informed him of the disagreeable situation we were in, and the very uncivil treatment we had met with ; and observed, that we came only to worship God, in which the Laws of our Country protected us ; we injured no one, and it was very strange they wished to interrupt us. He answered, " He had nothing to do with that, he only came to make one proposal."

Q. What was that ? A. " If we would promise never to come there any more, he would interfere with the mob, and we should go free." I replied, " It was his duty to interfere with the mob without such a promise, and that we were in danger of losing our lives." He acknowledged we were in danger ; and only said, " What can be done with a mob ? " I observed also, " that they had greatly damaged the house, and probably the expence would fall upon the Parish, for which he ought to have some concern, if he had none for our *lives* ! " " As to that, he said, he had nothing to do with it ; and if we would not make that promise, we must take the consequences."

Q. Did he go away then ? A. While we were conversing with him, there were two or three stones came into the room ; upon which he said, " Why, what do they mean by this ! they will knock one's brains out ! cannot they be quiet while *I am here* ? " Upon which he immediately went to the door and ordered them to desist.

Q. And did they ? A. Yes, immediately, and threw no more while he was in the house. He returned into the room, and a desultory conversation took place nearly the same as before. Then he went out, and as he was going through the shop, he said,

" No

"No Justice will undertake your cause," John Blake replied, "We must then go to a Lawyer."

Judge. Who is John Blake? *A.* The master of the house, my lord. We then went up stairs to the place of retreat, where we had been before, and Samuel Barker going to the window to see what they were doing in the street, he heard them say (just as William Smith went out) "now we have full liberty to pull down the house." As the night came on, it is impossible to describe the horror of our situation; the noise of the stones upon all the floors, the crashing of the windows, and the curses, oaths, and clamour of the mob, was so great, that we who were in the house could scarce hear each other speak. By this uncommon disturbance, Mr. Blake's children were very much frightened.

Q. How many children has he? *A.* Five small children: The terror they were in was so great, that we feared they were going into fits, they cried so excessively, particularly one little girl about seven years old. We endeavoured to quiet them, but as every successive stone renewed their fright, and these came so frequent, it was all in vain. The poor woman seeing her children in this situation, was extremely distressed, and shed floods of tears over them for a long time.

Q. She wept abundantly for her five children, you say?

A. Yes, Sir. The children were removed into a kind of passage behind a stack of chimnies, for shelter from the stones, but as they continued crying so excessively, Mr. Blake removed them to the barn, where he laid them in a crate of straw, and covered them up, leaving his wife to watch over them. It being now dark (at least within doors,) we thought it necessary to barricade the doors as well as we could, for the stones came so rapidly through the windows, and the noise at the doors was so great, that we expected they would break in every moment. Thus it continued till near ten o'clock, when John Blake came up stairs, and said, "they were threatening to burn the house!" Upon which I went to the window, creeping close to the wall, to avoid the stones, and looking out, I saw some fire among them, resembling a brand, from whence sparks issued. This, after what Mr. Blake had related, alarmed us exceedingly: being so late at night, and the men not returned, we concluded they were preparing to execute their horrid threatenings, and we knew not what to do. But the men soon after returning with a warrant from Dr. Wakeham, which they delivered to the constable, and then climbing over the yard gates, informed us what they had done. About a quarter of an hour after, a message was sent to inform us that the mob was dispersed, and we were at liberty to go. But we were so terrified, that we were afraid to go out alone; and therefore sent word back, that we could not think of going, unless a constable came to guard us; accordingly one of them came, and we set off about half past ten o'clock for Weathersfield. He went about half way with us; and as we saw no person, we then dismissed

missed him, and arrived at our lodgings between eleven and twelve at night.

Mr. JENKINS cross-examined by Mr. Serjeant BOND.

Serjeant Bond. Well, Mr. Jenkins, you are a Minister of the Gospel? A. Yes, Sir.

Q. Are you licensed to preach? A. Yes.

Q. Where are you licensed to preach? A. I am licensed by the Law as a preacher, and I am allowed to preach among all the Methodist societies.

Q. Who licensed you? A. I took the oaths at Bedford.

Q. What oaths? A. The oaths of allegiance, &c.

Q. What brought you to this place, Bardfield? A. John Blake sent word he should be glad if I would come and preach there.

Q. Now he is a baker; what is this house? A. The room we usually preached in was the room where he baked his bread.

Q. What is the front room; a shop or a parlour? A. There are two rooms in front, one is a shop the other a parlour.

Q. Here it was you came on Sunday the 14th. of July? Who came with you? A. William Heath, and Samuel Barker.

Q. Is Heath another Minister? A. Yes.

Q. Do you remember meeting the daughter of Mr. Cole on the road that morning? A. No.

Q. Don't you remember meeting with a little girl about twelve or thirteen? A. No, Sir.

Q. Nothing of that sort? Will you swear that you met no young woman that morning, a girl, a child? A. To the best of my recollection we met with no one, but I will not be positive at this distance of time.

Q. But I mean, did you *converse* with no girl upon the road?

A. No Sir; I am sure I *conversed* with no person, man, woman, or child, all the way, except at a friend's house where we called.

Q. Who is that friend? A. Mr. Stock.

Q. And are you sure you talked to no one? A. Yes, I am sure we talked to neither man, woman, nor child, all the way.

Q. Did you come there every Sunday about that time?

A. We changed as the service at the church changed; but since then we have gone every forenoon.

Q. How many were there in your congregation at that time?

A. About twenty.

Q. Was the wife of Mr. Perry there? A. No.

Q. Was not she locked up there, and her husband wanted her?

A. No, Sir; there was no person locked up that I know of.

Q. You don't know any of these persons? A. I asked the names of some.

Q. Then all you know of this Mr. Smith, you asked his name?

A. Yes, Sir.

Q. Who

Q. Who did you ask? A. John Blake, the master of the house.

Q. Why, you know that Cole is indicted for an assault?

A. Yes, Sir.

Q. The very same assault as mentioned now. A. Part of it.

Q. In how many places have you preached in this neighbourhood? A. At Weathersfield, Topsfield, and Shalford.

Q. Nothing said about your political principles? A. No, nothing at all. They only said, Blake had said something disrespectful of his majesty. I replied, "The Methodists are a loyal people; and if he has done so before we came, he has not since; and if he is mended we ought to rejoice."

Q. You know he was charged with this, which seems to be one of the causes of offence, was it not? A. I only knew by report.

Q. Did not they bring it as a charge against him? A. It was just mentioned.

Q. How just mentioned? A. They seemed to lay no stress upon it.

Q. But did not you grant it had been so? A. I only granted it for argument's sake. I have often talked with him, and he has always expressed an attachment to the King and Constitution.

Q. Do you mean to say that the whole objection to you was totally on account of your religion? A. Yes, Sir, I fully believe it was.

Mr. Garrow. Mr. Jenkins, do you pray for his Majesty?

A. Yes, always.

JOHN BLAKE, the second witness, examined by Mr. GARROW.

Q. Mr. Blake, you are the baker that lives at this place; where did you meet with these gentlemen that morning?

A. They came to my house on the 14th. of July about ten o'clock; and when they came, Thomas Cole came up to the window, cursing and swearing, and said, you have been disturbing my children, and frightening my little girl into fits.

Mr. Garrow. It is needless to go over the whole account again. You were in Court when Mr. Jenkins was examined; you have heard the account which he has given: Is that account true upon the oath you have taken? A. I believe it is true.

Q. You know all these parties: Now, will you name to us such persons as you saw were active in the mob? A. I will; William Dixon, William Hurd, Thomas Cole, Robert Holmes, William Stock, (interrupted by)

Mr. Garrow. You have the names as they were stated in the indictment, with which you were before the grand jury; where all the persons there? A. Yes.

Q. Will you state their names? A. James Rumsey, Thomas Wilks, Henry Brittain, Sarah his wife, Thomas Hill, Wright Dowcott, John Overall, William Ketley.

Q. Stop, I will read them over to you as they stand in the indictment. [Reads them one by one,] Now, were all these persons there? A. Yes, Sir.

Q. Did any other person say any thing to you? A. The woman said to me, who was in the adjoining yard, "You are an obstinate man, and the sooner you turn the Ministers out, it will be better for you; for as soon as it is dark they will be about your house, and you cannot make your remarks who did it."

Mr. BLAKE cross-examined by Mr. TROWER.

Mr. Trower. It was a piece of advice she gave. Mr. Blake, What are you? A. A Baker, Sir.

Q. Where do you come from? A. From Bocking.

Q. How long have you been at Bardfield? A. Nine years.

Q. Were you always of the same persuasion? A. No.

Q. How long have you been converted, Sir? A. Why, I don't know;—that is a matter that comes on gradually; I must leave that to God.

Q. You don't know:—Give me leave to ask you, how long have you left the Gospel in the church, to hear in your own house? I believe this gentleman came to your house upon your invitation? A. Why, I will tell you how it happened. I went to Weathersfield to seek for business, as I heard there was a baker gone from that place to America, and I could dispense with a little more custom. I applied to Samuel Barker, and he asked me where I came from; I told him from Bardfield. He asked me whether I should like the Methodist preachers to come there. I said it was a very dark place.

Q. What do you mean by a dark place? A. Why, I mean, that they scarcely knew good from evil, [a loud laugh.] Mr. Barker made answer, "there is the more need of preaching:" I said, that Bardfield was a desperate place, and I would not advise my friend to preach in the street. But says he, we must not mind persecution, perhaps you can find a barn, or some other room to preach in. I said I would think on it. Mr. Robert Green also talked to me, and I knew the word of God so well, that I knew what he said to be true; so he came and paid a visit at my house, and he intreated me to let him come to preach.

Mr. Garrow. So they came? A. Mr. Jenkins came the Sunday morning following, the 12th of January, or thereabouts.

Mr. Trower. Had you ever any conversation with the inhabitants of Bardfield? A. Yes, they did not like the preachers should come; they said, "these are the people that want to overturn the churches;" and they called us "Levellers."

Q. Did you hear them? A. I heard them in the mob.

Q. Did they say any thing to you about it? Did not they speak about political discourses with you? A. No, not at that time.

Q. Why did not they say you had spoken disrespectfully of the king? A. I never did.

Q. You

Q. You say all these people were present: Will you undertake to say at what time in the day you saw these people? A. From ten o'clock, till about church time; then they dispersed a little; except Brittain: He stood sentry with a bough in his hand. After church, I saw every one.

Q. What were they doing? Were they not collected from curiosity? A. Their former actions were so base, I had reason to suspect they were ill-disposed; and knowing the disposition of the people so well, I was certain they were no friends to us.

Q. Now tell us what you saw them do; lump them all together? A. I saw nothing done*, only threatenings.

Q. Who did you hear threaten? A. Thomas Wilks told me, if I would turn the Minister out, he should not have a hair of his head hurt. I answered, "If my house come down, I will not turn them out; for if they were murdered (and they certainly would if I had turned them out) I should be as bad as those that murdered them."

Q. Who else did you hear? A. Sarah Brittain said, "I wish the house was all in a flame, and the parsons in it."

Q. Now you were very much confused at this time. A. Yes.

Q. Where were you all this time; because I have heard about sticks and stones flying about; where were you? A. I was in the yard, and gave my house up to the mob, after I lodged my wife and children in the barn, and covered them up with straw: and in the time I was doing this, the stones flew so, that I run the hazard of losing my life to get covering for my children.

Q. You were running about, how could you see these men? Will you undertake to say that these men, to the number of eighteen, were there? A. Yes, I will.

Q. Tell us, what Stock, and Hitchin did? A. Stock and Hitchin walked backwards and forwards before the house, in a way of relieving Brittain, who walked sentry with a bough before the house. Then there were a number who joined in a mob.

Q. Why all the parish were there; were they not? A. The greatest part were; the mob and spectators.

Q. What kind of people were they? A. They were a low set of people.

Q. How many were there? A. I should think not less than two or three hundred.

Q. Were not some of these people upon curiosity? A. These people, with their malicious countenances! (a loud laugh.)

Q. Never mind their countenances; tell us what you saw William Dixon do? A. He was walking backwards and forwards with the others.

* Persons who possess a conscientious fear of exceeding the truth, very frequently speak far short of it, especially when they are interrogated in a quibbling way. This was the case with the Evidence, because he could not distinguish the identical persons who broke his windows, he was afraid to say what was certainly truth, viz. That he saw his windows broken in hundreds of pieces.

Q. Thomas Cole, what did he do? A. A man was speaking to him, and asked him, why he let Barker go?

Judge. I see a great many of these persons were spectators, therefore I want to ask of the several persons, distinctly, what he saw them do, or heard them say: Merely spectators, won't make them rioters. Begin with William Stock: What did you hear him say, or see him do? A. Nothing, but walking backwards and forwards. I heard him say nothing.

Mr. Garrow. Did he appear to you to be as a sentinel?

A. Yes, like a soldier.

Q. Had he any thing in his hand? A. No; that is the description I give of him, he was doing that.

Mr. Garrow. I only wish you would give us common sense and facts, without so much figure*. What did you see Rumsey, do? A. I asked him what hurt I had done the Mob. He said, "I have no ill towards you; but the gentlemen don't approve of the Ministers coming to preach here; but if you had a proper place, they would not mind it so much."

Q. Thomas Cole, What did he say or do? A. I heard a man ask him, why he did not hold Barker, when he had got hold of him? he answered and swore, "I could not hold him, for his coat rent." He wished he had had a hold of one of the parsons, and he would have held him, and have done for him.

Q. William Smith the carpenter: What did you see him do, or hear him say? A. About six o'clock he came up to the window and asked me to let him have a copy of the licence. I answered, if the gentlemen come I will show them the licence; but I will not give you a Copy of it. Then he turned and went across the road to his companions.

Q. Thomas Wilks and William Hurd, what did you hear them say, or see them do? A. I saw William Hurd hallooing, when Mr. Jenkins was preaching.

Q. Where were you at that time? Were you not in the congregation? A. Yes.

Q. How could you distinguish him? A. He stood opposite the window.

Q. Robert Holmes, what did you hear him say, or see him do?

A. I saw him in the mob in the beginning of the very business.

Q. Henry Brittain, what did you hear him say, or see him do?

A. He was the man, with the branch in his hand, as a sentry.

Q. What was his wife doing or saying? A. I heard her say, she wished the house all in a flame.

* Every candid person will readily perceive, that it is no easy matter for a common person, especially, to continue recollected, and to find suitable words to answer every question, when there are so many interrogating him. The plain case was this; Henry Brittain walked to and fro before the house for above two hours, with a branch of a tree on his shoulder, keeping sentry. He was then relieved by Stock and two others, who, soldier-like, paraded to and fro in their turns, which was what the Evidence wished to express, and which he had said before.

Q. Richard

Q. Richard Brittain, what did he say or do? A. Nothing, only in a deriding manner.

Q. Don't speak in these general terms; what was he doing? was he encouraging the mob; did he conduct himself as an innocent spectator, or was he active in the mob? A. He was very active.

Q. William Smith, the Farrier, what did he say or do?

A. He came, as he pretended, to tell me out of respect, that I might expect to see them murdered, if I did not turn them out.

Q. Thomas Hill, what did he say or do?

A. He seemed to take a part with the mob.

Q. George Noon, what did he say or do? A. He countenanced the mob, in a way of being ready to turn his hand to any thing with them: He was an ill-disposed person.

Q. Wright Dowcett, What did he do? A. He joined in the shouting at the time the congregation were assembled.

Mr. Trower. Was you in the congregation at the same time?

A. Yes.

Q. And you saw this man hallooing?

A. It appeared he was hallooing along with the rest.

Judge. Do attend to the Gentleman's question and answer it.

Mr. Trower. Did you hear him halloo? A. I could not distinguish one voice from another; he took part.

Q. What do you mean by that?

A. He joined in interrupting us.

Q. What he made a noise? A. Yes.

Q. What led you to think so?

A. He appeared to be hallooing in the mob.

Q. Edward Hitchin, what did he do? A. He was walking backwards and forwards among the mob.*

Mr. Garrow. John Overhall, and John Ketley, they were a part of the mob; what did they do? A. I saw Overhall do nothing; no otherwise than take the part of the mob in hallooing and encouraging them.

Mr. Garrow. What did Ketley, say or do? A. By the indictment I am confined to the day, therefore I cannot speak of all the particulars; he took part in keeping us prisoners.

Mr. Trower. In what manner? A. By his joining the mob at unseasonable hours, taking part and encouraging them.

Q. Pray, what are all these men you have named, are they labourers or tradesmen? They are common labourers, are they not? A. Yes.

Q. I believe all these meetings were held at your house, do you recollect a woman by the name of Perry, locked up.

Mr. Garrow. My Lord, is this regular? The door was not locked. Have you done with him? Mr. Trower. Yes.

Mr. Garrow. Were the doors locked during the service?

* He was one of those who walked to and fro before the house, keeping sentry.

A. No.

A. No, there are witnesses enough of that; so that these Gentlemen, or the Magistrates, or any body else, might have come in if they pleased.

Q. With respect to these persons, had they on any former occasion hindered the worship in this place. A. Yes.

Q. Can you venture to say, from the observation of their gestures, &c. that they formed a part of the mob? A. I can.

Q. Positively, upon your oath? A. Yes.

Mr. Garrow. Now you have been asked, with a view to affect your credit (interrupted by the Judge.)

Mr. Garrow. My Lord, only to take the impression off the minds of the Jury, for that was thrown out on purpose to impress their minds; but I am sure your Lordship will take care it shall not.

Mr. WILLIAM HEATH, the third Witness, examined
by Mr. GRIMWOOD.

Mr. Grimwood. You are one of the preachers? Yes, Sir.

Q. Will you take upon you to say, that all Mr. Jenkins has said is true? A. Yes; I saw the whole transaction.

Q. You saw the whole transaction? And during the time you felt yourself in great terror? A. Yes, Sir.

Q. Do you happen to know any of the defendants personally? A. Yes, a few.

Q. Are you able to say whether any, and which of them were present? Yes; Henry Britain, Cole, and Holmes.

Q. In what capacity did you attend; did you preach that day? A. No.

Q. Where do you belong? A. I come from Colchester.

Q. Do you remember meeting Cole's daughter? A. I do not.

Q. Did you meet and converse with any girl? No, we conversed with none.

Mr. SAMUEL BARKER, the fourth Witness, examined
by Mr. GARROW.

Q. Was you one who walked with these Gentlemen to Bardfield? A. Yes.

Q. Did you meet with any little girl, to whom any insult was made? A. No, we met neither man, woman, nor child.

Q. You were in court, I believe, when Mr. Jenkins was examined? A. Yes.

Q. You heard what he said; was it true? A. I believe it was.

Q. Did you feel any terror? A. I had such sensations then, as I would not have again for ten thousand pounds.

Mr. Garrow. No more would I. Mr. Barker. I fully believe they had an intent to murder me.

Q. What

Q. What did they do to you? A. They swore at me, and damned me, and strove to drag me into the mob.

Q. Were the doors locked during any part of the service?

A. No, they were open.

Q. Were the congregation disturbed by the people on the outside? A. They were very much disturbed.

Q. Did it continue more and more, till the constable came?

A. Yes.

Q. Did you think you were in danger of your lives? A. O yes; we were in *very great danger*, and knew of no way to escape: we were preparing for eternity.

Q. You did right. I don't know whether you know many of the persons that were concerned in the mob: Do you know William Dixon; was he one of the mob? A. He was with the mob, and in the mob; but I cannot pretend to say he was a *particular* hand in it.

Q. You can venture to say he was not a mere innocent spectator? A. Yes.

Q. William Smith, Carpenter, was he taking part? A. Yes; he gave Brittain some beer, who was walking about with a bough in his hand keeping sentry.

Q. Thomas Wilks, was he there? A. Yes, he was there.

Q. William Hurd, was he there? A. I don't know him.

Q. Do you know Henry Brittain? A. Yes; he was there keeping sentry for about two hours.

Q. Richard Brittain, what was he doing? A. Very active.

Q. Thomas Hill, what was he doing? A. I don't know him.

Q. Wright Dowcett, what was he doing? A. Very active, swearing and hallooing.

Mr. JENKINS, called again by Mr. GARROW.

Q. Where is your licence? Produced and read by the Associate, signed, Fish Palmer.

Associate. Who is this Mr. Palmer? A. The Clerk of the Peace for the county of Bedford.

Associate. Did you see him sign it? A. Yes, in open court.

Mr. Garrow. Where is the licence for the house? Produced,

Mr. PARKER's Clerk called.

Mr. Garrow. Is this a copy of the original? You have the original? A. Yes.

Mr. Garrow. Throw it across. Read by the associate, "These are to certify," &c.

Mr. Garrow. I will not trouble your lordship with any more witnesses.

Mr.

MR. PARKER'S clerk cross-examined by Serjeant BOND.

Q. Where do you bring that from, Sir? A. From the register office in this town.

Q. What the office of the Clerk of the Peace? A. No: the Commissary Court of the Lord Bishop of London.

Serjeant BOND then addressed the Judge upon some part of the form of the indictment. His Lordship answered, "This is irregular, as it came from the King's-bench." Serjeant Bond then entered upon the defence*. Upon the conclusion of which, his Lordship addressed the Jury.

JUDGE. Gentlemen of the Jury; This is an indictment against Cole and seventeen others, for riotously assembling on the 14th. of July, 1793, in the parish of Great-Bardfield, and interrupting and otherwise abusing a congregation of Protestant Dissenters. This is the charge in the Indictment: and where a number of persons assemble to the amount of three, or more, to carry any thing by violence, whether the object of the assembly be lawful or unlawful, it is criminal. Upon this occasion it is evident, that the object of the defendants was to interrupt a number of people in their devotions, who had a right to worship God in their own way. A right which ought to be supported in every country, particularly in this. The consequences of the punishment, as has been represented

* We cannot but lament the disagreeable situation in which the learned Serjeant stood; he was impelled by the virtue and weight of many *hard, orbicular, shining* arguments, to undertake the defence of a desperate gang of rioters, who dare not produce one witness, either to exculpate themselves, or criminate the Prosecutors. It was therefore a fruitless attempt to wash the Black-a-moor white; especially when the great Orator run the hazard of sacrificing Justice and Truth, Reason and Common Sense, to the shrine of Mammon. However, something must be said in defence of the *good old cause* of Persecution! But as it would be tedious and perfectly insipid, to insert all the *Words* which were used on this occasion, to amuse the jury, and console the Rioters and their opulent employers, we suppose the following extract of this curious Oration, will abundantly suffice most of our readers.

"My Lord: Gentlemen of the Jury. It is my duty to state to you and to make some observations in favor and behalf of these defendants who are indicted to the number of eighteen by this prosecution, and who are to be severely dealt with in the Court of King's-Bench, from whence this cause comes. But it is the happiness of this country that before any persons can be dealt with, with severity, they shall come before a jury of the county, who have in their discretion and their judgment to pronounce the defendants guilty, or not guilty, of the charges imputed to them; which if the jury think there is not sufficient ground to accuse the party, they then of course acquit them. And I shall leave this case to you on that ground, whether you in your consciences, believe that these eighteen persons of the low description they are stated to be, have been guilty of that breach in society which is imputed in this indictment; whether you will deliver them over to that severe justice which you understand is to be the consequence, if you, upon your oaths, find them guilty. And I am persuaded you will be tender and cautious of the property, independence, and liberty of your country, and of these poor defendants who are now brought before you. And unless you see that every one of them are guilty, you will not deliver them to the sentence of that court where severity will be shown them; and from some late transactions we know not to what length punishments will be carried!

"Gentlemen

sented to you, that is to fall upon the defendants; with that you have nothing to do. If you are of opinion that they are guilty, however it may oppress the offenders, for which they may thank themselves, you are to pronounce them guilty. It is for you to consider whether the defendants were met together to form this design; to prevent Mr. Jenkins and his friends from continuing to meet for religious worship in Bardfield. You must be satisfied that each of the defendants, you find guilty, were uniting to prevent these people continuing there, by violence and force.

Gentlemen, The evidence which has been produced is this: First, Mr. Jenkins is called, he tells you that on the 14th. of July he went to Great-Bardfield, &c. [Here his Lordship repeated the evidence as before stated.] From this evidence, it seems, there has been upon this occasion, as serious a Riot as was ever known. It is serious both in its object and in its nature. They were assembled for the purpose of worshipping God in their own way. If the defendants did not like it, all they had to do was to have gone to church: We find, some did go to church, but during the time they were there, they left Brittain with a stake in his hand to keep sentry over these people. We find they wished to go: indeed it was proved by Mr. Jenkins himself, that he was desirous of going to preach at Weathersfield. You find there were shouting, hallooing, cursing and swearing, breaking the windows, and various other means made use of to obtain their object; which put these people in danger of their lives.

Now it does seem to me, that every one of the defendants are equally guilty, except some whose names I shall mention to you, which if you think with me, you will find not guilty. You will always lean in favour of mercy where you can, but in finding these guilty you will do justice and your duty.

Gentlemen,

" Gentlemen, I wish to state to you, that this is no ordinary prosecution commenced at the Sessions, and carried on there; but is removed from thence to the King's-Bench, and sent down by record to be tried at this Assizes. This is out of the common course of proceeding. They have not brought it before the Magistrates of the county, who know the people of Bardfield, who knew how to adapt the punishment to their crime, if they were guilty of any. And when you consider that these poor labouring men, are taken out of the common process, are carried to Westminster-hall; you will find that these pious people are acting in a different way, than a common person acts merely to bring them to justice. I know how little able these poor labouring men will be to cope with all that is to be done, after you have found them guilty of this offence: I know the sufferings and the morsel of bread that is torn from them, to make any defence in this court to day*. It is on this ground I come forward to reprobate the prosecution which is carried on in this expensive way, and which in itself appears to be a prosecution that might better have been spared than brought into a court of justice.

* The learned Serjeant was led, either by his instructions or imagination, to misrepresent this part of the case; for it is well known, that the defence was made at the expence of those who hired them, and were obliged to support them for fear of an impeachment; so that when they returned from the quarter sessions, which they appeared at when the cause was removed, they came home drunk, and set the bells a ringing at midnight, perhaps, without the consent of the p—r—n whose house adjoins the church-yard.

D

" Really,

Gentlemen, William Smith the farrier is an exception, he said that if they would promise not to come again, he would interfere with the mob and disperse them, so far as Smith was concerned, that when he found Mr. Jenkins thought it his duty to refuse making such a promise, he says, "You must take the consequences:" So that it does seem to me that Mr. Smith is not, at least, equally guilty with all those.

It

"Really, Gentlemen, where religion is established as in the government of this country; where we hear of a *most respectable* MINISTER of the parish, Mr. PHILIPS, every Sunday attending his flock; I believe you will think, that they came to introduce darkness rather than light, or what is worse, chaos and confusion. The people had been tried before whether they wished for an introduction of this sort into the parish of Bardfield; that being the case, one would have thought they might have gone elsewhere. There was the whole continent of America full of heathens; there was the coast of Africa, they might have gone there, rather than oppose Mr. PHILIPS. We see, that these tabernacles were assembled in a baking-house. A house where they are baking puddings and bread all the week, was on the Sunday morning turned into a conventicle. We find there had been a general dislike of these people in the parish. I have asked the witnesses whether they did not meet with Mr. Cole's daughter on the way. They say they did not, but when a man is to be sent to the King's-Bench prison, or sent I don't know where, from his wife and family; I think you will consider a little, the motive from which he first interfered with this business, and to examine this testimony when he said, "you, Mr. Parson, have been frightening my child into fits." This shows what was the object of Mr. Cole. He thought that some of those persons, whether true or false, I will not take upon me to decide. But the answer was, they had been disturbing the child and driving her into fits*.

[The learned Serjeant, after expatiating upon the cruelty of Mr. Blake's attempt to awaken the wicked inhabitants of Great Bardfield out of their sins, by introducing the Gospel of Christ among them; and after endeavouring to palliate the guilt of the rioters, who on this important occasion manifested such flaming zeal, against Repentance and Reformation, concludes his long harrangue in the following remarkable words.]

"Gentlemen, I doubt not but you see, it was too great a zeal and love for that religion their forefathers professed; a zeal for the *good old cause*, † which brought forth these men, and not that "*malicious intent*," as Mr. Blake calls it. These are most of them labouring men, they might not know what is right and just, they have not the capacity you or I have from a better education. But if the *intention* was *good*; if these men are sorry for what they have done, if they have offended; and I conceive this to be the case; you will not deliver them over to the Laws of the Country! under these circumstances I have considered the case, and under these circumstances I now submit it to an Essex Jury."

* This silly story, about the Preacher's frightening Cole's child; though many able heads and active hands, were a long time employed in kneading and rolling and forming it into a tenacious substance for baking, yet when brought piping hot from the p—r—n's oven into the Court, it was found to consist of such frangible stuff, that it dropt all to pieces, to the great astonishment and grief of the Rioters and their *worthy* Fellow-labourers!

† *Zeal for the good old Cause!*—By this elegant and heart-affecting expression, does the learned Serjeant mean,—the *good old cause* of Popery and Persecution, which was in its meridian splendor in this country in the days of Queen Mary? Then indeed the zeal of its devotees burst forth into such tremendous flames as illuminated all the inhabitants in the vicinity of Smithfield, when Bishop Bonner and his execrable crew, adopted the expeditious and powerful method of converting *pious Protestants* from their mental errors, by burning them alive at a stake!

It seems also there are some others that are not so guilty, particularly William Dixon, he was in the mob, and so were many others. James Rumsey seems to be another; he says, "I have no ill-will towards you, but the gentlemen don't like your coming." I think it will be too much to suppose that the witnesses so accurately recollect the expression as to convict him. Thomas Hill is another; all that has been said against him, is, that "he seemed to take a part with the mob." George Noon is another. I don't find that Ketley was a man violent; now if he was not, it was impossible that Blake should know by his disposition that he took part. With respect to the others, you find, one strikes Mr. Barker; another kicks him; another pulls Mr. Jenkins; another stands with a bough in his hand keeping sentry; and one man brings beer, as it were, to relieve the man who was keeping sentry, &c. Then if you find that you agree with me you will of course find them guilty.

Associate, Gentlemen, consider of your Verdict*.

[Six were recommended to mercy, and twelve to be convicted.]

Verdict: Thomas Cole, Robert Holmes, Henry Brittain,
GUILTY.

* A few minutes after the Jury had laid their heads together, there seemed a considerable demur; and they were rather noisy. At length the foreman turned round and requested the names of the two men who struck Mr. Barker; observing at the same time to his Lordship, that they intended to clear the rest, because they thought if the constables had been called in sooner they might have been released. § His Lordship answered, apparently with great dissatisfaction, "How could men, surrounded as they were by such a desperate mob, go out for the constables? Mr. Jenkins proved to you, that they earnestly wished to go to preach at another town. " Besides (added his Lordship) you should remember that they sent off men to a magistrate very early in the day, but they could not return before that late hour. And again, there were three equally bad; what will you do with the third? " But however" (said his Lordship apparently much displeased) "If you think they were not there, don't find them Guilty!"

§ The constables were among the worst in the mob; and had it not been for a mistake, they would have been indicted with the rest. However we hope that their escape will have a good effect upon them for the future.

On Saturday, March 15, 1794, was tried an indictment against Thomas Cole and Robert Holmes, for an assault on Samuel Barker, committed on Sunday, July 14, 1793, and they were found GUILTY. But as little would appear to the reader that was new, except a few observations of the learned counsel, the detail account is omitted.

An account of the trial of another indictment for an assault, which was committed on Wednesday, July 10, 1793.

The KING versus *James Calek*.

Mr. GRIMWOOD stated the indictment.

Mr. GARROW. May it please your lordship: Gentlemen of the jury. I observe you have a proper sense of your duty, and therefore I have no doubt if the witnesses whom I shall call, prove the defendant guilty, you will give your verdict accordingly.

Mr. HEATH examined by Mr. GARROW.

Q. Mr. Heath, you are a preacher of Mr. Wesley's persuasion, and reside at Colchester, I believe? A. Yes, Sir.

Q. On Wednesday the 10th. day of July, did you preach at Bardfield. A. Yes, Sir.

Q. During the time of the service were there any number of persons assembled about the house? A. There were a great many, probably sixty or seventy.

Q. When the service was over, did you come out of the house to go home, or where were you going? A. To Weathersfield.

Q. And what did you observe on the outside of the house?

A. A great many people gathered together and making a noise with a drum, rattles such as the watchmen use, horns of several kinds, tin-kettles, and various other things, in order to disturb me and the congregation.

Q. And what did you do? A. We proceeded towards Weathersfield, and my friends and I, on our way, were much abused by the mob.

Q. Was James Calek one of the persons? A. Yes, Sir.

Q. In what manner were you treated? A. They got boughs of trees, and some matting, which they dipped in water and rubbed them in the dust, and then rubbed me on the back with them.

Q. What more? A. A little further I was stopped in the road by the mob.

Q. What number were there then? A. I dare say two hundred.

Q. And you could not proceed on your journey? A. No; I could not proceed for a considerable time, being hindered by the mob, but particularly by Sarah Brittain.

Q. We won't enquire on the present indictment, what she did: What did Calek do? A. Being prevented from going forward in the lane, I got into the adjoining field, in order to run away from the mob; but after I had run a considerable way, I was obliged to stop.

Q. Why did you stop? A. I was so fatigued that I could not proceed.

Q. Did you apprehend any danger? A. Yes; I was afraid of my life.

Q. You stopped in consequence of your fatigue; what did Calek do then? A. He came up, and pushed me with great violence on my back several times, so that it was with great difficulty that I avoided falling on my face.

Q. What more, Sir? A. He stepped before me and retarded me in my path, so that I could not proceed.

Q. Where were the mob then? A. They were advancing as I advanced, and flinging rotten eggs and dirt at me of various kinds.

Q. What sort of dirt;---any filth? A. Mud, and that sort.

Q. Did they do it frequently? A. Yes, Sir.

Q. So that you apprehend (upon your oath) you was in serious danger of your life? A. Yes; and my face and back, and all over

over me, were covered with dirt and filth; and all without the least provocation.

Q. You had given no offence? A. No, nothing but preaching.

Q. How did you at last escape from them? A. I ran into a house where I had never been before, and seeing myself in danger, I took the liberty of locking the door on the inside; and continued there till about ten or eleven o'clock at night, when I and my friends crept out privately, and by going over hedges and ditches, we arrived at my lodgings at Weathersfield, almost dead with fatigue and fear.

Q. What was your reason for continuing in the house so long?

A. I imagined that the mob were somewhere about the house.

Q. Are you able to say, that they did continue about the house after you went in? A. Yes, Sir.

Q. Now, for what time can you venture to say? A. About an hour.

Q. In what manner did they employ themselves? A. Making a noise with their rattles, tin-kettles, and other instruments, with which they disturbed the congregation, and in calling to the people of the house to turn us out.

Mr. HEATH cross-examined by Mr. Serjeant BOND.

Q. What is Calek? A. A labouring man.

Q. Had you ever seen him before? A. No.

Q. Then you gave no sort of offence to this man? A. No; and there is another circumstance which I did not mention: He pushed me with great violence into a hedge, on the other side of which there was a large ditch full of water; but the hedge was too thick to admit me through. He then pulled me back by my coat, with such violence, that I thought he would have tore it from my back.

Q. Was not this after some challenge to fight? A. By no means; I never saw him before.

Q. Did you give no offence to him? A. No.

Q. Why, did not you tell him he was one of the wicked people of Bardfield, or that he was dark? A. No.

Q. Do you mean to say that he threw rotten eggs or dirt at you?

A. No; I don't know who threw them.

Mr. Garraw. You are not much of a fighting man, I dare say, from your appearance.

Mr. BLAKE examined by Mr. GRIMWOOD.

Q. Did you see Mr. Heath assaulted on the 10th. of July last?

A. Yes; I saw James Calek push him upon the hedge.

Q. Do you know Calek? A. Yes.

Q. You are sure he is the person? A. Yes.

Mr. BLAKE cross-examined by Mr. TROWER.

Q. I believe there was some challenge in your party? A. No.

Q. Did not you say to Calek, what are you following us for; are there any three of you that can fight us? A. No.

Mr. Serjeant Bond. May it please your Lordship: Gentlemen of the Jury. You see this is another indictment for an assault. Why, there will be no end to them, I think. You see he is not the

The man who threw the dirt or eggs at the reverend divine: but he put him in the hedge, where he might have lain at quiet if he would; and it being about midsummer, the leaves would have covered him. You see he is charged with having been guilty of the assault, but was not charged in the indictment yesterday. What is the presumption then? Why, that he had seen the error of his ways, and ought not to have been indicted. I think it does show there is a little malignity in this sort of gentry, and that they cannot get rid of the little bit of the devil that eggs them to these prosecutions. Gentlemen, I think he repented of his error, for this reason, that though he was connected with them on the 10th. of July, he was not present on the 14th*, therefore he ought not to be convicted.

JUDGE. This is a prosecution against James Calek for an assault, committed on the 10th. day of July, on William Heath, who has stated it to you in evidence. [His Lordship, after recapitulating the evidence, added] Gentlemen, upon the whole of the evidence it does appear, that this man was guilty of a *very gross assault*, and the defendant has called no evidence to contradict. You are told, you should not find this man guilty, because he had not thrown the filth. But if he was in the mob, he was just as much answerable for their acts, as if he had done them himself. But it is not left at all doubtful on that ground; you find he hunted Mr. Heath down in the field, and forced him into the hedge, and strove to throw him into the ditch, and otherwise treated him exceeding ill, until Mr. Heath, in order to save his life, ran into a house that stood by the side of the road. After which the mob surrounded the house in a furious manner, and lurked in the way a considerable time; so that he was obliged to go out a private way, and escape for his life. Gentlemen, some pleasant things have been said to make good humour; but they certainly ought not in cases of this kind. Associate, gentlemen of the jury, and consider of your Verdict,

A Verdict, GUILTY.

The KING *versus* Sarah Brittain.

Mr. Webb stated the Indictment.

Mr. Garrow. May it please your Lordship: Gentlemen of the Jury: You have understood that this is an indictment for an assault, and if I had a less formidable adversary than my learned friend, I should not say a word. But my learned friend says, "They have got a little bit of the devil in them;" and that "there is no end to these indictments." It is true, there is no end to the ingenuity of my learned friend! There is no end to the sufferings of this people! There is no end to the persecutions of those men; and there will be no end to the animosity of this parish, till some have been made examples of. I cannot help being a little entertained and surprized at the extraordinary structure of

* This is a mistake of the learned Serjeant; for though James Calek was not in the indictment on the 14th, yet he was present, and among the foremost in the riot.

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my learned friend's ingenious mind; you were not to have convicted the last man, because he had not been guilty on the 14th! Mr. Calek, if he was wrong on the 10th, must have repented of the evil of his way by the 14th! What then shall be said to Sarah Brittain, who offends on the 10th, and on the 14th, wishes the house might be burned down, and all the people in it! So a man who commits murder, may have repented of the error of his way, and therefore he is not to be punished! This is the grave argument, of a grave Serjeant, to a jury of the county of Essex! A jury of whom he says the finest things in the world. Indeed he is very impartial; he says the same in all other counties, only you don't hear him: When he is here, you are the best, the wisest, and most impartial jury that ever assembled. I only wish the weather was fine, [a rainy day] so that you could travel with us to Maidstone, you would hear him say the same there.

They talk about these men fighting, does he (pointing to Mr. Heath) or any of the rest of them, look like fighters? No, I believe none of Mr. Wesley's congregation were ever deemed fighters: It is true they talk sometimes of buffetting the devil; but I believe they never fight with any carnal adversary. Gentlemen, I shall call witnesses to prove the assault, and I have no doubt concerning your Verdict.

The evidence taken in this cause was that of Mr. Heath and Mr. Blake. The Gentleman who wrote short-hand omitted taking it down, but it went to prove, that Sarah Brittain, the defendant, stopped Mr. Heath in the road, and prevented him from proceeding. That she brandished her fists at him several times:—That she collected gravel and dust in her apron, and threw in his face and down his breast; and that in all this she was encouraged by the mob with whom she was surrounded. The learned Serjeant made no defence. His Lordship summed up the evidence in very few words, and the Jury without any hesitation, brought in their Verdict, GUILTY.

His Lordship then observed, "I have only to say, that now after these prosecutions are over, I hope they will behave better. As there seems to be a desperate spirit of persecution in Bardfield, their behaving better for the future, will be the only thing to recommend them to the mercy of the Court."

On the 17th of May, 1794, the Rioters who had been convicted at Chelmsford Assizes, for assaulting the Preacher, and committing other acts of violence, at Great Bardfield, were brought up to the Court of King's Bench, before the Right Honourable Lord Chief Justice KENYON, in order to receive judgment in the indictments. The report being read as taken down by the Judge who tried the Cause, his Lordship enquired how the Defendants had behaved since, and if they had any Affidavits? Their Counsel handed in three or four, wherein the Defendants stated that they had large families and children. Lord KENYON observed, he was extremely sorry that it was not in his power to have taken hold of those PERSONS who were the INSTIGATORS of these Riots; but that it did not at all excuse those who had been guilty. It was
a Crime

a Crime of the greatest magnitude, and ought seriously to be taken up by the Court. That the only way of punishing them would be by imprisonment, which if the Court were to impose upon them *leniently*, would be a libel on the Court itself; and if they should have a long imprisonment, their families in the mean time must starve. That tho' these men ought not to escape the punishment due to them, yet they must have mercy on their families. His Lordship then addressed the Rioters, and said, "*If you are found guilty of this Crime again, you will be indicted capitally, and will be hung!*" His Lordship added, that the Indictment should hang over their heads, and that their Recognizance should be taken in the Court of King's Bench on the Saturday following.

On the 24th of May, the Rioters were brought from NEWGATE into the Court of King's Bench, together with their Bail, to enter into the Recognizances which the Court then required. Mr. GARROW stated the facts to the Court, and was severe on the Authors and Instigators of the Riot, some of whom it is supposed, were then present, and undoubtedly felt themselves in a very awkward situation. Lord KENYON informed the Bail, that they were very much mistaken if they supposed they were authorized in encouraging these Riots, and that by the Toleration Act, they were as much open to punishment who disturbed a congregation of Methodists or Dissenters, as those who might disturb the Church of England. His Lordship advised the Prosecutors, in case any thing of this sort happened hereafter, and they could possibly find sufficient evidence, to bring the Bail before the Court, and as they were wealthy, they should suffer in their pockets, and that not a little. He then told them, they were to understand this Judgment hung over the heads of the persons found guilty, and they might be brought before the Court without the trouble and expence of a fresh prosecution; and if they did ever come there, he concluded their sentence would be as severe as the Court could inflict in a case where the Indictment is not capital. Their Recognizances was then taken in 200*l.* each Defendant, and their two Bail in 100*l.* each.

¶ The profits arising from the Sale of this Publication will be applied to defray the great expence unavoidably occasioned by the Law Suit: the decision of which undoubtedly is of the utmost importance to the Methodists and Dissenters.

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